

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Fellicia Smith,

Civ. No. 22-2872 (JWB/TNL)

Petitioner,

v.

**ORDER**

Michael Segal, Warden FCI-Waseca;  
Deanna Hiller, C/D/Unit Manager; and  
Kayla Brosch, Case Manager,

Respondents.

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The above matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Tony N. Leung dated March 15, 2023. (Doc. No. 7.) No objections have been filed to that R&R in the time permitted. In the absence of timely objections, the Court reviews an R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, the Court finds no clear error.

Based on the R&R of the Magistrate Judge, and on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The March 15, 2023 Report and Recommendation (Doc. No. 7) is **ACCEPTED**;
2. Plaintiff’s Petition for Writ of Habeas Corpus (Doc. No. 1) is **DENIED**;
3. This matter is **DISMISSED WITHOUT PREJUDICE** as moot.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: April 5, 2023

*s/ Jerry W. Blackwell*  
JERRY W. BLACKWELL  
United States District Judge